

Application/Control Number: 09/650,355
Art Unit: 2611

Docket No.: 1999-0522A

REMARKS

Reconsideration and allowance in view of the foregoing proposed amendments and the following remarks are respectfully requested.

By this proposed amendment, claims 1-8 and 10-27 remain pending, claim 1 was amended to include the features of original claim 9, claim 26 was amended only to correct punctuation and improve form, and claim 9 was canceled without prejudice or disclaimer.

Rejection of Claims 1-27

On page 5 of the Final Office Action of May, 19, 2005, the Examiner rejected claims 1-27 under 35 U.S.C. 102(a) as allegedly being unpatentable over U.S. Patent No. 6,236,395 to Sezan et al. ("Sezan") in view of U.S. Patent No. 6,307,550 to Chen et al. ("Chen").

Applicant respectfully traverses the rejection with respect to claim 9 and submits that amended claim 1 obviates the rejection. Claim 9 was canceled without prejudice or disclaimer thereby rendering the rejection of claim 9 moot.

Proposed amended claim 1 is directed to a method for generating a customized coded video sequence based on a subscriber's input. The method includes, among other things, outputting a customized coded video sequence to an output device, wherein the coded video sequence output includes a customized advertisement.

On page 9 of the Office Action, the Examiner asserted that Sezan, at col. 3, lines 27-31, and col. 9, lines 56 through col. 10, line 6, discloses or suggests this feature. Applicant disagrees.

Sezan, at col. 3, lines 16-31, discloses:

The present inventors came to the realization that users of visual information and listeners to audio information, such as for example radio, audio tapes, video tapes, movies, and news, desire to be entertained and informed in more than merely one uniform manner. In other words, the audiovisual information presented to a particular user should be in a format and include content suited to their particular viewing preferences. In addition, the format should be dependent on the content of the particular audiovisual information. The

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amount of information presented to a user or a listener should be limited to only the amount of detail desired by the particular user at the particular time. For example with the ever increasing demands on the user's time, the user may desire to watch only 10 minutes of or merely the highlights of a basketball game.

Sezan, at col. 9, lines 56 through col. 10, line 6, discloses:

On the display, the user is presented with a list of recorded sporting events including Basketball and Soccer. Apparently the user's favorite Football team did not play that week because it was not recorded. The user is interested in basketball games and indicates a desire to view games. A set of title frames is presented on the display that captures an important moment of each game. The user selects the Chicago Bulls game and indicates a desire to view a 5 minute highlight of the game. The system automatically generates highlights. The highlights may be generated by audio or video analysis, or the program description scheme includes data indicating the frames that are presented for a 5 minute highlight. The system may have also recorded web-based textual information regarding the particular Chicago-Bulls game which may be selected by the user for viewing. If desired, the summarized information may be recorded onto a storage device, such as a DVD with a label.

The above cited portions of Sezan disclose that audiovisual information should be presented to a particular user or listener only in an amount of detail desired by the user, such as, for example, highlights of a basketball game. Further, the invention disclosed by Sezan may record a number of sporting events, such as basketball and soccer. If the user indicates a desire to view games, frames may be presented showing important moments from the games. Alternatively, the user may select a game and be presented with recorded web-based textual information about the game.

Sezan discloses that a number of sporting events are already recorded. Sezan further discloses presenting information to a user in an amount of detail desired by the user. In the examples mentioned in the above-cited portions of Sezan, the presented basketball highlights, the presented important moments of a selected games, and the presented textual information about the game are illustrations of presenting information to a user in the amount of detail desired by the user, not customized advertising as alleged by the Examiner.

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Further, Applicant submits that Sezan teaches away from including a customized advertisement in the output coded video sequence. Sezan, at col. 8, lines 32-39, discloses:

For example, if a user prefers to watch a 5 minute video highlight of a particular program, such as a basketball game, the analysis module 42 may invoke a knowledge based system 90 (FIG. 3) to determine the highlights that form the best 5 minute summary. The knowledge based system 90 may invoke a commercial filter 92 to remove commercials and a slow motion detector 54 to assist in creating the video summary.

Thus, Sezan discloses that a video highlight of a basketball game, or other program, may be created with commercials removed. Sezan is completely devoid of any disclosure or suggestion of including a customized advertisement in the coded video sequence, as required by claim 1.

Chen also fails to satisfy the deficiencies of Sezan. Therefore, Applicant submits that Sezan and Chen fail to disclose or suggest, either separately or in combination, the coded video sequence output including a customized advertisement, as required by proposed amended claim 1. Applicants, further submit that proposed dependent claims 2-8 and 10-27 are patentable over Sezan and Chen for at least the reasons discussed with respect to claim 1.

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CONCLUSION

Having addressed all rejections, Applicants respectfully requests entry of the proposed amendment and withdrawal of the rejections of claims 1-27. Applicant submits that upon entry of the proposed amendment, the subject application will be in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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